

**STATE OF LOUISIANA
DEPARTMENT OF CIVIL SERVICE
BATON ROUGE, LA.**

Hr Handbook Update No. 2005 – 0002

To: HEADS OF STATE AGENCIES AND PERSONNEL OFFICERS

Subject: Criteria for Agency Policies for Use of Rule 12.6(a)2

Issue Date: March 7, 2005

A section of the Criteria for Agency Policies for Use of Rule 12.6(a)2
in the on-line HR Handbook has been changed to read as follows:

RECOMMENDED CRITERIA

2. ...
Clarifications: ...
- a. **An appointing authority retains the right to place employees on leave without pay for any unscheduled absence, except for situations in which an employee has sick leave on the books and has a legitimate reason for using sick leave (as verified by a statement from a physician or some other acceptable proof if required by the appointing authority). In this case the employee will be granted his/her paid sick leave, but the absence may be counted as an unscheduled absence.**

...

This change is made in recognition of the fact that, pursuant to Civil Service Rule 11.13(a), sick leave may be utilized by an employee who has sufficient leave to his credit for necessary absence from duty because of:

1. Illness or injury which prevents him from performing his usual duties.
2. Medical, dental, or optical consultation or treatment.

Therefore, while an absence due to illness may be an unscheduled absence according to an agency's policy and may be treated as such according to that policy, the employee cannot be denied his sick leave if he/she has a legitimate reason for using the leave

Note: If the appointing authority has advised the employee that proof of illness will be required for the sick leave and the employee fails to provide the required proof, the absence can be considered leave without pay.

Absences for reasons other than illness or medical appointments for which annual leave is requested shortly before or after the fact may be considered unauthorized leave without pay, depending on the agency's policy requirements.

If you have any questions regarding this information, please contact the Program Assistance Division, telephone (225) 342-8274.

Sincerely,

s/Anne S. Soileau
Acting Director